

REMARKS

Claims 1-33 are rejected. Claims 1-33 remain pending. Claims 1-33 are amended herein.

No new matter is added as a result of the Claim amendments.

Specification

The drawings are objected to under 37 CFR 1.84 for lacking suitable descriptive legends.

Replacements for Figure 1, Figure 2A, Figure 2B, and Figure 2C are attached which include suitable descriptive legends. Accordingly, the Applicants respectfully request withdrawal of the objection.

Claim Objections

Claim 15 is objected to for an informality. Claim 15 has been amended to correct the lettering error. Accordingly, the Applicants respectfully request withdrawal of the Claim objection.

35 U.S.C. § 102 Rejections

Claims 1-4, 6-8, 10, 11, 13-16, 18, 19, 21-24, 26-29, and 31-33 are rejected under 35 U.S.C. § 102(b) as being unpatentable over Sites (U.S. Patent No. 6,728,880), hereinafter referred to as "Sites." The Applicants respectfully submit that the cited reference does not teach or suggest the Claim limitation recited in Claims 1, 15, 21, and 28 of the present invention of :

altering the playability of content on said remote content playing apparatus by reference to said clock signal and a set of timing playback constraints specific to said content.

The Applicants respectfully submit that there is no teaching in Sites stating that the access of content is altered or controlled in response to the clock signal which is transmitted to a remote content playing apparatus. More specifically, there is no teaching at all in Sites to describe how the trusted time is used to alter the playability of content as claimed. Specifically, Sites fails to teach or suggest altering the playability of content by reference to the clock signal and a set of timing playback constraints specific to the content. Accordingly, the Applicants respectfully submit that the embodiments of the present invention recited in Claims 1, 15, 21, and 28 are not anticipated by Sites and respectfully submit that the rejection of Claims 1, 15, 21, and 28 under 35 U.S.C. § 102(b) are overcome.

With reference to Claims 2, 15, 21, and 28 the Applicants respectfully submit that Sites does not teach or suggest the additional claim limitation of generating a date signal. The rejection cites the Greenwich Mean Time (GMT) taught by Sites as evidence that a date is conveyed with the trusted time. However, the Applicants respectfully submit that the trusted time conveyed by the server of Sites is not the Greenwich Mean Time itself, but is merely a time format that is based

upon the Greenwich Mean Time. In other words, Sites does not teach or suggest that the date is sent, only time data formatted according to the GMT. There is no suggestion by Sites that the date information is passed to a remote content playing apparatus as recited in Claims 2, 15, and 21 of the present invention. Accordingly, the Applicants respectfully submit that the embodiments of the present invention recited in Claims 2, 15, 21, and 28 are not anticipated by Sites and respectfully submit that the rejection of Claims 2, 15, 21, and 28 under 35 U.S.C. § 102(b) are overcome.

35 U.S.C. § 103 Rejections

Claims 5, 9, 12, 17, 20, 25, and 30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sites. With reference to Claims 5, 17, and 30, the rejection states that it would be obvious in view of the teaching of Sites to encrypt a query from a remote content playing apparatus. The Applicants respectfully submit that Sites does not teach or suggest a content playing apparatus, generating an encrypted query from a content playing apparatus, or any advantage to be derived from encrypting a query from a content playing apparatus. Therefore, the Applicants respectfully submit that the rejections of Claims 5, 17, and 30 is unsupported by the art under 35 U.S.C. § 103(a) and respectfully request withdrawal of the claim rejections.

Claims 9, 12, 20, and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sites in further view of Nissl (U.S. Patent No. 6,530,023), hereinafter referred to "Nissl." The Applicants respectfully submit that Sites does not teach or suggest altering the playability of

content on a remote content playing apparatus by referring to a received clock signal and a set of playback timing constraints specific to that content as recited in independent Claims 1, 15, and 21 of the present invention. The Applicants respectfully submit that Nissl fails to overcome the shortcomings of Sites. Specifically, Nissl does not teach or suggest altering the playability of content on a remote content playing apparatus by referring to a received clock signal and a set of playback timing constraints specific to that content. Instead, Nissl teaches a method and device to timestamping a document. Therefore, a combination of Sites and Nissl fails to teach or suggest the claim limitations recited in Claims 1, 15, and 21 of the present invention.

Claims 9 and 12 depend from Claim 1 and recite additional limitations descriptive of embodiments of the present invention. Accordingly, the Applicants respectfully submit that the embodiments of the present invention recited in Claims 9 and 12 are not anticipated by Sites alone, or in combination with Nissl, and respectfully submit that the rejection of Claims 9 and 12 under 35 U.S.C. § 103(a) are overcome.

Claim 20 depends from Claim 15 and recites additional limitations descriptive of embodiments of the present invention. Accordingly, the Applicants respectfully submit that the embodiments of the present invention recited in Claim 20 are not anticipated by Sites alone, or in combination with Nissl, and respectfully submit that the rejection of Claim 20 under 35 U.S.C. § 103(a) is overcome.

Claim 25 depends from Claim 21 and recites additional limitations descriptive of embodiments of the present invention. Accordingly, the Applicants respectfully submit that the embodiments of the present invention recited in Claims 25 are not anticipated by Sites alone, or in combination with Nissl, and respectfully submit that the rejection of Claim 25 under 35 U.S.C. § 103(a) is overcome.

CONCLUSION

Based on the arguments presented above, the Applicants respectfully assert that Claims 1-33 overcome the rejections of record and, therefore, the Applicants respectfully solicit allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Date:

2/2/2005

Respectfully submitted,
WAGNER, MURABITO & HAO LLP



Anthony C. Murabito
Reg. No. 35,295

Two North Market Street
Third Floor
San Jose, California 95113
(408) 938-9060